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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/532,256

12/02/2005

Benoit Regnard

17170/010001

8566

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07/10/2006

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EXAMINER

GARNER, ONDRIA L

ART UNIT

PAPER NUMBER

2834

DATE MAILED: 07/10/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No. 10/532,256	Applicant(s) REGNARD ET AL.	
	Examiner Ondria Garner	Art Unit 2834	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>4/21/2005</u> . | 6) <input type="checkbox"/> Other: ____.  |

## **DETAILED ACTION**

### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter that the applicant regards as his invention.

Claim 22 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. It is unclear what the applicant means by "it". Examiner will interpret "it" as the cover.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claim 1 is rejected under 35 U.S.C. 102(b) as being anticipated by Kondo et al (EP 1024582). Yui discloses in the abstract a protective cover made of electrically insulating material covering a rear bearing comprising an outer frame comprising a rear bearing and having a poly-phased wound stator in which the phase outputs are connected to a phase connector intended to be connected to an exterior electronic module and a support made of electrically insulating material, and fixed-mounted on the rear bearing and holding the phase connector characterized in that the cover is configured to both support the phase connector and cover the rear bearing.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 2-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yui in view of Kondo et al (20040256928). Referring to claim 2, Yui teaches all of the claimed features as described above. Yui does not teach the stator supported by a projection. Kondo teaches in figure 1, the phase connector of the stator being supported by a projection. It would have been obvious to one of ordinary skill in the art at the time of the invention to have the stator phase connection be supported by the projection in order to provide adequate means of reinforcement for the stator.

Referring to claim 3, Yui teaches all of the claimed features as described above. Yui does not teach a means for mounting. Kondo teaches in figure 1, a means for mounting it on the rear bearing. It would have been obvious to one of ordinary skill in the art at the time of the invention to have a means to mount it on the rear bearing in order to provide adequate means of reinforcement for the projection.

Referring to claims 4 and 5, Yui teaches all of the claimed features as described above. Yui does not teach a projection. It would have been obvious to one of ordinary skill in the art at the time of the invention to have a projection on the external periphery of the cover in order to provide adequate means of reinforcement for the stator.

Referring to claim 6, Yui teaches all of the claimed features as described above. Yui does not teach a projection with an arm coming out of the cover. Kondo teaches in figure 2 a projection with an arm coming out of the cover. It would have been an obvious matter of design choice to have a projection with an arm, since applicant has not disclosed that having a projection with an arm solves any stated problem or is for any particular purpose and it appears that the invention would perform equally well with or without this design.

Referring to claim 7, Yui teaches all of the claimed features as described above including the cover having an external peripheral skirt and a bottom. Yui does not teach the support arms being integrated with the bottom and the skirt of the cover. Kondo teaches in figures 1 and 2, the support arms being integrated with the bottom and the skirt of the cover. It would have been obvious to one of ordinary skill in the art at the time of the invention to integrate the support arms with the bottom and the skirt of the cover for easier manufacturing.

Referring to claim 8, Yui teaches all of the claimed features as described above. Yui does not teach arms or flanges. Kondo teaches in figure 2, arms connected by a flange that carries the phase connector. It would have been obvious to one of ordinary skill in the art at the time of the invention to have arms connected by a flange that carries the phase connector as taught by Kondo, since Kondo shows that such a modification would have been known at the time of the invention.

Referring to claim 9, Yui teaches all of the claimed features as described above. Yui does not teach a rod or a support tab. Kondo teaches in figure 2, a rod crossing the

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flange and in that the rod is integrated with a support tab intended to be attached to the rear bearing. It would have been obvious to one of ordinary skill in the art at the time of the invention to have a rod integrated with a support tab, as taught by Kondo in order to decrease the number of loose parts on the phase connector.

Referring to claim 10, Yui teaches all of the claimed features as described above. Yui does not teach a chimney. Kondo teaches in figure 2, a support tab being supported on a chimney integrated with the rear bearing. It would have been obvious to one of ordinary skill in the art at the time of the invention to have the chimney in order to support the support tab.

Referring to claim 11, Yui teaches all of the claimed features as described above. Yui does not teach the protuberance. As discussed above Kondo teaches all of the claimed features including the hollow protuberance in figure 1. It would have been obvious to one of ordinary skill in the art at the time of the invention to have a hollow protuberance like that of Kondo in order to support the rod.

Referring to claim 12, Yui teaches all of the claimed features as described above. Yui does not teach a projection made of thermoset plastic material. Kondo teaches in paragraph 0019 a cover made of plastic, and the projection being molded with the cover, a projection made of thermoset plastic material. It would have been obvious to one of ordinary skill in the art at the time of the invention to have the projection be made of plastic in order to avoid sending or receiving electric current.

Referring to claim 13, Yui teaches all of the claimed features as described above. Yui does not teach a threaded rod. Kondo teaches a threaded rod in figure 2. It would

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have been obvious to one of ordinary skill in the art at the time of the invention to have a threaded rod for easy assembling and disassembling.

Referring to claim 14, Yui teaches all of the claimed features as described above. Yui does not teach phase connection inputs. Kondo teaches in figure 2, phase connection inputs. It would have been obvious to one of ordinary skill in the art at the time of the invention to have phase connection inputs in order to have a means to transports electrical energy from one point to another.

Referring to claim 15, Yui teaches all of the claimed features as described above. Yui does not teach electrical tracks or an electrical contact face. Kondo teaches in figure 2 electrical tracks and an electrical contact face. It would have been obvious to one of ordinary skill in the art at the time of the invention to have electrical tracks and an electric contact face as an alternate means for attaining power to the motor.

Referring to claim 16, Yui teaches all of the claimed features as described above. Yui does not teach electrical tracks. Kondo teaches in figure 2 electrical tracks. It would have been obvious to one of ordinary skill in the art at the time of the invention to have electrical tracks and an electric contact face as an alternate means for attaining power to the motor.

Referring to claim 17, Yui teaches all of the claimed features as described above. Yui does not teach a secondary cover. Kondo teaches in figure 1 a secondary cover. It would have been obvious to one of ordinary skill in the art at the time of the invention to have a secondary cover in order to protect the motor from outside debris.

Referring to claim 18, Yui teaches all of the claimed features as described above. Yui does not teach mounting tabs. Kondo teaches in figure 1, mounting tabs. It would have been obvious to one of ordinary skill in the art at the time of the invention to have mounting tabs for proper means of mounting the phase connector.

Referring to claim 19, Yui teaches a brush holder being covered and associated with a connector and the two being made in one piece with the cover.

Referring to claim 20, Yui teaches all of the claimed features as described above. Yui does not teach electrical tracks. Kondo teaches in figure 2 electrical tracks. It would have been obvious to one of ordinary skill in the art at the time of the invention to have electrical tracks and an electric contact face as an alternate means for attaining power to the motor.

Claims 21-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yui and Kondo as applied to claims 2-20 above, and further in view of Abadia et al (20020158523). Referring to claim 21, Yui and Kondo teach all of the claimed features above. Yui and Kondo do not teach a sensor holder. Abadia teaches an alternator/ starter in figure 1 and paragraph 0138 a sensor holder and a connector of the sensor holder characterized in that the sensor holder is mounted under the bottom of the cover and in that the sensor holder connector passes radially through an opening in the peripheral annular wall of the cover. It would have been obvious to one of ordinary skill in the art at the time of the invention to have a sensor holder in order to properly house the sensor.



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Referring to claim 22, Yui and Kondo teach all of the claimed features as described above including the two-part cover. Yui does not teach a secondary cover. Kondo teaches in figure 1 a secondary cover. It would have been obvious to one of ordinary skill in the art at the time of the invention to have a secondary cover in order to protect the motor from outside debris.

Referring to claim 23, Yui and Kondo teach an alternator.

Referring to claim 24, Yui and Kondo teach all of the claimed features above. Yui and Kondo do not teach a sensor holder. Abadia teaches an alternator/ starter in figure 1 and paragraph 0138 a sensor holder and a connector of the sensor holder characterized in that the sensor holder is mounted under the bottom of the cover and in that the sensor holder connector passes radially through an opening in the peripheral annular wall of the cover. It would have been obvious to one of ordinary skill in the art at the time of the invention to have a sensor holder in order to properly house the sensor.

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. US 20050121988, US 20050073204, US 20050023912, US 20040051404, US 20010054853, US 7005767, US 6509652, FR 2783648, US 20060119197, US 20050168082, US 5006742, US 4518886, DE 19605757, FR 2730875, US 20060043805, US 6034464, JP 2005033985, JP 2002315397, JP 2002017067, JP 05176505, JP 60245448.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ondria Garner whose telephone number is 571-272-8327. The examiner can normally be reached on Monday through Friday, 8:00 am to 4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Darren Schuberg can be reached on 571-272-2044. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



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7/6/2006



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